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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,654 02/15/2001		Thomas A. Gonzalez	01-0214	5564
37038	7590 10/19/2004		EXAMINER	
BUHLER ASSOCIATES BUHLER, KIRK A.			NGUYEN, TAI T	
2687 SCENIC CREST LANE			ART UNIT	PAPER NUMBER
CORONA, C	CA 92881		2632	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application APPlication					
Period for Reply AS HORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time rays to evaluable under the provisions of 33° CFR 1-38(a). In no event, however, may a reply be timely filled If the period for eply scledical date is set than three months and the state of the capits of the capits of the period of the plant is set to the set of the capits of the specified above, the maximum statelory parted vial apply and will expire SIX (a) MANTHS from the mailing date of this communication, even if timely lited, may reduce any capital term adjustment. See 37 CFR 1-704(a). Status 1) □ Responsive to communication(s) filled on 15 February 2001. 2a) □ This action is FINAL. 2b) □ This action is FINAL. 2b) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) is/are pending in the application. 4a) ○ If the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to by the Examiner. 10 □ The graving(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received in Application No. □ 1. □ Certified copies of the priority documents h		Application No.	Applicant(s)		
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edutations of time may be available used the provision of 3 °C FR 1.136(s). In or event, however, may a reply be timely filled the FOX (6) MONTHS from the mailing date of this communication of 3 °C FR 1.136(s). In or event, however, may a reply be timely filled the FOX (6) MONTHS from the mailing date of this communication. Fallable to reply within its end or extended period for reply well, by stable, cause the application to become ABANDONED (35 U.S.C. § 133). Any welly received by 9th official the time have been admitted provided by 10 and exception to the communication. Fallable to reply within its end or extended period for reply well, by stable, cause the application to become ABANDONED (35 U.S.C. § 133). Any welly received by 9th official the time the here benefits after the mailing date of this communication, even if timely filled, may reduce any extend plant term applications. See 37 °CFR 1.734(s) This action is FINAL. 2b) This action is FINAL. 2b) This action is FINAL. 2c) This action is FINAL. 2c) This action is FINAL. 2d) This action is replaced by the provided provided by the provided plant term and plant term is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) I Is/are pending in the application. 4a) Of the above claim(s) Is/are withdrawn from consideration. 5) Claim(s) I Is/are rejected. 7) Claim(s) I Is/are expected. 7) Claim(s) I Is/are rejected to by the Examiner. 10) The drawing(s) filed on Is/are as a subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.	Office Action Summary	Examiner	Art Unit		
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DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Neher (US 6,362,778) in view of Otto (US 5,982,808).

Regarding to claim 1, Neher discloses a personal/child monitor system comprising:

a receiver unit (12, figures 1-2);

a transmitter unit (18) including a battery powered transmitter (64) and a receiver (62) installed within a jewelry item (figure 2) to be worn by a user (20) that is activated remotely by an activation radio signal (26) received by the transmitter unit receiver (62) and locally by depressing a panic button (42, col. 9, line 48 through col. 10, line 63);

the receiver unit programmed with the transmitting frequency of the transmitter unit and a receiver unit transmitter for transmitting the activation radio signal (col. 9, line 48 through col. 10, line 63);

when activated, the transmitter unit transmitting a signal an overhead satellite network (14) which then transmits a coordinate signal to the receiver unit.

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Neher discloses everything claimed except for the panic button by being depressed twice in sequence. Otto teaches a communication device (10) including a panic button may initiates a panic signal through operation of the panic button in a particular sequence (col. 6, lines 12-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a particular operation sequence for the panic button of Neher, as suggested by Otto, for the purpose of preventing false alarms.

Response to Arguments

3. Applicant's arguments with respect to claim 1 has been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Elliot (US 6,243,039).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (571) 272-2961. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 12, 2004

Tai T. Nguyen

Examiner

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